

# **EXHIBIT I**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

Ref: 8P-AR

MAY 03 2013

Blaine Rawson  
Ray Quinney & Nebeker, P.C.  
P.O. Box 45385  
Salt Lake City, Utah 84145-0385

RE: FOIA EPA-R08-2013-005187

Dear Mr. Rawson:

This is in response to your Freedom of Information Act (FOIA) request dated April 4, 2013, regarding Wyoming's Regional Haze 309(g) State Implementation Plan and the March 25, 2013, stipulation to extend the deadlines contained in the consent decree. This letter and the enclosed documents constitute our initial response, which includes EPA's release of four documents. The documents are being provided in hard copy as enclosures to this letter. As discussed with your office, we will complete our response, which will include a summary of documents we are claiming privilege on, by May 29, 2013.

You may appeal this partial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOIA reference listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions, please contact Laurel Dygowski at (303) 312-6144 or Sara Laumann at (303) 312-6443.

Sincerely,

Derrith R. Watchman-Moore  
Assistant Regional Administrator  
Office of Partnerships and Regulatory Assistance

Enclosures

**Laumann, Sara**

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**From:** Laumann, Sara  
**Sent:** Wednesday, March 20, 2013 11:49 AM  
**To:** Dygowski, Laurel  
**Subject:** RE: Wyoming Units

Thanks

Sara L. Laumann  
Associate Regional Counsel  
USEPA Region 8 - Office of Regional Counsel  
1595 Wynkoop Street  
Denver, CO 80202  
P: 303-312-6443  
F: 303-312-6859

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**From:** Dygowski, Laurel  
**Sent:** Wednesday, March 20, 2013 11:49 AM  
**To:** Laumann, Sara  
**Subject:** Wyoming Units

There are 17 units total under BART.

Laurel Dygowski  
Regional Haze Program Coordinatoor  
Air Quality Planning Unit  
EPA Region 8  
(303)312-6144

**Laumann, Sara**

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There are 17 units total under BART.

Laurel Dygowski  
Regional Haze Program Coordinatoor  
Air Quality Planning Unit  
EPA Region 8  
(303)312-6144

**Laumann, Sara**

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**From:** Laumann, Sara  
**Sent:** Wednesday, March 20, 2013 11:50 AM  
**To:** 'Greenberg, Alan (ENRD)'  
**Cc:** anderson, lea  
**Subject:** BART Units

Alan

In response to your question -- there are 17 total BART units in Wyoming.

Thanks,

Sara L. Laumann  
Associate Regional Counsel  
USEPA Region 8 - Office of Regional Counsel  
1595 Wynkoop Street  
Denver, CO 80202  
P: 303-312-6443  
F: 303-312-6859

**Laumann, Sara**

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**From:** Reed Zars [reedzars@gmail.com]  
**Sent:** Thursday, March 21, 2013 7:33 AM  
**To:** Greenberg, Alan (ENRD)  
**Cc:** Ashley Wilmes; anderson, lea; Laumann, Sara  
**Subject:** Re: WildEarth Guardians v Jackson (regional haze)

Alan,

The Court's order of December 12, 2012 already sets the final deadline as September 27, 2013. Unless I'm missing something, don't we just need to modify the proposal date?

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EPA shall by September 27, 2013, sign a notice of final rulemaking promulgating a FIP for the State of Wyoming, to meet the regional haze implementation plan requirements that were due by December 17, 2007, under the requirements of 40 C.F.R. § 51.309(g), unless, by September 27, 2013, EPA has signed a notice of final rulemaking unconditionally approving a SIP, or promulgating a partial FIP and partial unconditional approval of a SIP, for the State of Wyoming that meets the regional haze implementation plan requirements that were due by December 17, 2007, under the requirements of 40 C.F.R. § 51.309(g).

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Reed